

Case:20-01826-jtg Doc #:122 Filed: 02/14/2023 Page 1 of 1

Case:20-01826-jtg Doc #:121 Filed: 02/14/2023 Page 1 of 2

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MICHIGAN

IN RE:

Scholl, David

Case No. 20-01826  
Chapter 13  
Hon. John T. Gregg  
Filed: May 22, 2020

Debtor./NOTICE OF FILING OF DEBTOR'S SECOND POST-CONFIRMATION AMENDMENT TO  
CHAPTER 13 PLAN AND OPPORTUNITY TO OBJECT AND HAVE HEARING

**PLEASE TAKE NOTICE** that on February 14, 2023, the Debtor filed a Motion for Second Post-Confirmation Amendment to Chapter 13 Plan. All of the foregoing pleadings have been served on all interested parties on the date set forth below.

On December 29, 2022, Debtor filed a Motion for Second Post-Confirmation Amendment to Chapter 13 Plan (the "Original Post Confirmation Second Amendment"). The Original Post Confirmation Second Amendment was served on creditors on December 29, 2022. No creditors objected within the 21-day objection period. However, the Court set the Original Post Confirmation Second Amendment for a hearing because the motion inadvertently stated that the "payment will be increased from \$235.00 per month to \$161.00 per month..." (emphasis added) when it should have stated that the payment would be "decreased from \$235.00 per month to \$161.00 per month..." (emphasis added). To correct any confusion, Debtor withdrew the Original Post Confirmation Second Amendment and filed the enclosed corrected Debtor's Motion for Second Post-Confirmation Amendment to Chapter 13 Plan. [ Docket Number 121].

If you desire to object and have a hearing held by the court, you are required to file a written response setting forth your objections within 21 days after the date of service below. Written responses must be mailed to the United States Bankruptcy Court for the Western District of Michigan, 1 N Division, Room 200 Grand Rapids Michigan 49503 along with a copy sent to CBH Attorneys & Counselors, PLLC, 25 Division Avenue S., Suite 500, Grand Rapids, MI 49503 and Barbara Foley, Chapter 13 Trustee, PO Box 51109, Kalamazoo, MI 49005.

Respectfully Submitted,

Date: February 14, 2023

/s/ Steven M. Bylenga  
Steven M. Bylenga (P73492)  
Attorney for Debtor  
CBH Attorneys & Counselors, PLLC  
25 Division Avenue S., Suite 500  
Grand Rapids, MI 49503  
T: (616) 608-3061

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:  
Scholl, David

Case No. 20-01826  
Chapter 13  
Hon. John T. Gregg  
Filed: May 22, 2020

DEBTOR./DEBTOR'S MOTION FOR SECOND POST-CONFIRMATION AMENDMENT TO CHAPTER 13 PLAN

NOW COMES David Scholl (hereafter "Debtor") by and through his attorneys, CBH Attorneys & Counselors PLLC, and respectfully requests pursuant to 11 USC 1329 that he be allowed to amend his Chapter 13 Plan as follows:

FACTUAL BACKGROUND

In compliance with his duty to file an annual budget, Debtor submitted an amended budget with his current income and expenses which takes into account a second job as a Storage Company Manager through Argus Professional Storage Management that Debtor began in November 2022. Debtor needed to find additional work to supplement his income due to a rapid decline in real estate sales since interest rates increased over the course of 2022. After considering all budget changes, Debtor is left a decrease in disposable income. See Exhibit A: Amended Schedules I & J. In support of his updated budget, Debtor provided the Chapter 13 Trustee with copies of recent paystubs and a year-to-date commission statement from Key Realty.

PLAN AMENDMENTSII. A. Plan Payment

The Debtor's Plan payment will be decreased from \$235.00 per month to \$161.00 per month beginning December 1, 2022.

The remaining Plan provisions shall remain unchanged.

U.S. BANKRUPTCY COURT  
CLERK  
DISTRICT OF DELAWARE

2023 FEB 23 PM 12:05

F I L E D

19-50926-TJS

Case:20-01826-jtg Doc #:121 Filed: 02/14/2023 Page 2 of 2

Case:20-01826-jtg Doc #:121-1 Filed: 02/14/2023 Page 1 of 1

Wherefore, the Debtor respectfully requests that the Court enter an Order approving this Motion for Second Post-Confirmation Amendment to Chapter 13 Plan.

DATE: 2/13/2023

/s/ David Scholl

David Scholl, Debtor

DATE: 2/13/2023

/s/ Steven M. Bylenag

Steven M. Bylenag (P73492)  
Attorney for Debtor  
CBH Attorneys & Counselors, PLLC  
25 Division Avenue S., Suite 500  
Grand Rapids, MI 49503  
Phone: (616) 608-3061

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

In Re:  
Scholl, David

Debtor.

Case #: 20-01826  
Chapter 13  
Hon. John T. Gregg  
Filed: May 22, 2020

**ORDER GRANTING DEBTOR'S MOTION FOR SECOND POST-CONFIRMATION  
AMENDMENT TO CHAPTER 13 PLAN**

This matter having come before the Court upon *Debtor's Motion for Second Post-Confirmation Amendment to Chapter 13 Plan* (hereafter "Motion") with the Motion having been filed on \_\_\_\_\_ [Dkt. No. ]; notice having been served to the mailing matrix on \_\_\_\_\_ [Dkt. No. ], no objections having been filed; and an *Affidavit of No Objection* having been filed [Dkt. No. ], now therefore:

**IT IS HEREBY ORDERED** that Debtor's Motion is granted;

**IT IS FURTHER ORDERED** that Debtor's monthly plan payments are reduced from \$235.00 per month to \$161.00 per month beginning December 1, 2022;

**IT IS SO ORDERED.**

Prepared by  
CBH Attorneys & Counselors, PLLC  
25 Division Avenue S., Suite 500  
Grand Rapids MI 49503

**END ORDER**